

From: David-James Fernandes
To: Microsoft ATR
Date: 1/17/02 5:28pm
Subject: Microsoft Settlement

Hello,

Although I am not a United States citizen, I am a Canadian who is very concerned about the lenient settlement the US DOJ has come up with in the Microsoft Anti-Trust case.

While I've followed this case with much interest in the past, I was provoked to register my opinion with you today after learning that Microsoft had procured 'intellectual property rights' for assets from Silicon Graphics Incorporated last year.

It GREATLY concerns me because SGI currently owns the licensing rights to OpenGL - a set of 3D graphics APIs that much of the 3D industry is built upon. Though the deal was made by completely legal measures (a backroom deal between SGI and Microsoft), the implications of Microsoft owning OpenGL are tremendous.

Microsoft currently develops (and forces down many a manufacturer's throat) their own 3D APIs called 'Direct X'. OpenGL is a direct competitor and is free for developers to implement. Its foundation is also a type of open source project, as the name would imply. Apple's Mac OS X operating system uses OpenGL as a core technology as do hundreds of pieces of software from scientific applications to 3D video games.

Should Microsoft terminate OpenGL, it would destroy many companies that make software with OpenGL exclusively. It would automatically make Microsoft a leader in 3D software where it had very little presence in the past. It would also severely limit the options for developers and force them eventually to license Direct X from Microsoft - a closed API.

I sincerely urge you to reconsider your soft settlement and side with the 9 opposing states who are calling for far more appropriate action like the break-up of the company into smaller pieces and the unbundling of 'middleware' products from the operating system. I also urge you to remove clauses and language that give Microsoft the ability to decide for itself what 'middleware' is and what is a monopolistic takeover and what is not.

Microsoft's size and budget as well as their buy and destroy attitude have already severely altered the software landscape for the worse. Please show them the United States won't tolerate such blatantly anti-competitive behavior from ANY company. Your decision here affects far more than just US citizens.

Thank-you,

David-James Fernandes

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